

**COMMENTS**

**RESPONSES**

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S4.1

**S4.1** The BLM will consider the comment regarding preference for the “No Action” Alternative.

S4.2

**S4.2** The BLM will consider the comment regarding preference for the “Primm Site” Alternative.

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S4.2  
Cont'd.

suitable Burrowing Owl habitat, and Category B desert tortoise habitat. Nor does the proposed site justify adding to the cumulative impacts already associated with the adjacently proposed Table Mountain Wind Energy site, the Columbia Pass (Sandy Valley Road) re-alignment, and the new Kern River Pipeline to which we have previously commented.

S4.3

As described in the DEIS, another 78 acres would be temporarily impacted by construction needs. Successful re-vegetation on the 78 acres is dependent on frequency, timing and amount of natural precipitation and lack of disturbance by unauthorized OHV activity. Further, increased traffic and recreational use that would result from development of new roads would have a permanent effect on local wildlife.

We believe the proposed measures to mitigate impacts resulting from construction and long-term operation of the Ivanpah Energy Center should be augmented to include more specific compensatory strategies to aid in the conservation and recovery of wild populations and their habitat. We have included some suggestions for perusal that we hope will generate further consideration.

S4.4

The level of disturbance indicated suggests that a more comprehensive approach to impact minimization and mitigation is warranted. For example, there was very little information concerning the effects of power lines on raptors. Most centered on increasing artificial perch sites for ravens and the relationship with anomalous predation on the desert tortoise. However, construction of the transmission lines through McCullough Pass will affect nearby raptor roosting and nesting sites. Disturbance is anticipated to Prairie Falcon and Golden Eagle nests in or near the McCullough Pass area north to Unnamed Pass (segments #60 and #70). Mitigation for these raptors was not considered. Raptors breed and sit on nests during the months of April through June. We recommend avoiding construction activity during these months, again leaving a window in mid- to late summer. We are also interested in the design of the towers. With some exception, it appears they are of sufficient design to deter both raptors and ravens from perching on them. We also recommend the placement of anti perching "triangles" or other devices or methods that discourage perching on other tower surfaces. This will aid in reduction of the chance for perching by raptors and ravens. Other mitigation measures for these species might include the installation of such devices on existing power lines as well. For more information on safe practices for raptors along power lines, the project proponent can refer to:

Avian Power Line Interaction Committee (APLIC). 1996. Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996. Edison Electric Institute and the Raptor Research Foundation. Washington, D.C.

The construction zone is located within bighorn sheep and Gila monster habitat, and more thought must at least go into the timing of construction. We agree that there will be less potential impacts related to chuckwalla and kit fox.

S4.5

Mitigation measures in the DEIS for bighorn sheep include avoidance of installing electric transmission lines during lambing season, and avoidance of the area during hunting season. We have observed that in southern Nevada, wild sheep may give birth to lambs anytime from January

**S4.3** Comment acknowledged.

**S4.4** The BLM acknowledges that construction through the McCullough Range should be avoided during the raptor nesting season (April through June). Mitigation measures related to construction scheduling will be included in right-of-way grant stipulations. Structure designs will have sufficient conductor-to-conductor and conductor-to-ground distances to preclude the possibility of electrocution of avian species. Ravens and raptors may perch on structures from time-to-time; however, other structures, particularly lattice structures that are east of I-15, also are in the area and provide perching locations. If anti-perching devices are to be located on new project structures, specific structure locations and devices will be included in stipulations from the BLM and incorporated into the COM Plan.

Mitigation of potential impacts to gila monsters would be difficult, primarily because the species is most active and breeding season occurs during the summer months that would coincide with the above referenced construction period. However, eggs are laid during the late-fall and winter, when construction would not take place.

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until late May or early June. Equally important as lambing season, is breeding season which begins in early fall. Hunting season occurs in November and December. The best time for construction would be mid- to late summer. This measure warrants further attention than was addressed in the text.

McCullough Pass is an attractive location for bighorn sheep because of the steep topography. Natural water pockets are located to the south of the pass, and several artificial water devices are located to the north. During the hot summer months the water pockets evaporate, necessitating the movement of sheep northward to make use of the artificial waters. Construction activity may cause ewes to deviate from traditional ranges, which could lead to a loss of herd knowledge about the location of available water and forage areas. The McCullough herd is one of the few populations of bighorn sheep where numbers are currently stable. Cumulative impacts brought about by several ongoing projects in our region will make it more difficult to manage this and other populations.

S4.6

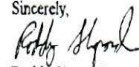
Another species warranting additional consideration is Gambel's quail. While there is an anticipated loss of quail habitat along the transmission lines linking up the proposed Table Mountain project with the Ivanpah Energy Center project, there is no mention of any kind of mitigation for this loss. Quail will nest beneath or in dense desert shrubs, and there is risk of crushing eggs by construction activities. Loss of nesting cover and native grasses for forage puts further strain on an already patchy and scarcely available resource. There is an opportunity for some off-site mitigation in the form of habitat enhancements near springs in the Spring Mountains.

S4.7

Consideration must be made for and federal protocols adhered to regarding burrowing owl observation, survey and removal prior to construction. If breeding pairs are identified they must not be disturbed until the end of the nesting cycle. The project proponent should contact the U.S. Fish and Wildlife Service to obtain information on how to address and mitigate for this species, which is protected under the Migratory Bird Treaty Act (See attached outline).

Again, we appreciate the opportunity to comment and look forward to working with the project proponent and the federal agencies to help facilitate and promote interagency cooperation in conserving our natural resources. Should there be any questions, please contact myself at this office.

Sincerely,

  
Roddy Shepard,  
Habitat biologist

Enclosure

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S4.5

Project scheduling to avoid the bighorn sheep lambing season was addressed on DEIS pages 5-37, 5-38, and 5-131 in which mitigation measures included the restriction of construction through the McCullough Range from the "... spring through early-fall (April through October) ...". The DEIS (pages 5-57 and 5-142) also states that construction through the McCullough Range should be scheduled to avoid "... conflict with the November-December hunting season." Information regarding the breeding season (which begins during the early fall) was not included in the DEIS. The DEIS text should expand the period during which construction would not take place and emphasize that construction should be carried out from mid- to late summer, to the extent practicable. Specific periods for construction should be included as part of the COM Plan.

S4.6

Construction of the Ivanpah Energy Center or any of its components during the spring through summer nesting and brooding is likely to adversely impact gambel's quail. Although the species is likely to be present throughout most of the project area, the potential for impacts could be reduced by avoiding construction within areas that have been designated as "crucial quail habitat" (refer to DEIS Figure 4-3) during the nesting and brooding season. Additional mitigation measures available include biological monitoring to identify active nesting sites that should be avoided during construction.

S4.7

The burrowing owl is protected under the Migratory Bird Treaty Act (16 USC 703-711 Executive Order January 1, 2001), as discussed on DEIS pages 4-26 and 4-27. Nesting takes place from approximately April through August. Steps that can be taken to avoid nesting owls include bird surveys and the identification of nest sites that should be avoided during construction. Specific protocol to be followed would be addressed in the COM Plan.

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RS: rs  
cc: NDOW Game Bureau  
NDOW Wildlife Diversity Bureau  
NDOW Habitat Bureau  
USFWS, Las Vegas

